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ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHNSON CONTROLS, INC.,
HOOVER UNIVERSAL, INC., and
MULTIFASTENER CORPORATION,

Defendants.

U.S. DIST. COURT
EAST DISTRICT
DETROIT

04 DEC 22 P 3:11

FILED

Case No. 04-74987

ROBERT H. CLELAND

MAGISTRATE JUDGE PEPE

NOTICE OF LODGING OF PROPOSED CONSENT DECREES PENDING
SOLICITATION OF PUBLIC COMMENT BY U.S. DEPARTMENT OF JUSTICE

Plaintiff, the United States of America, on behalf of the United States Environmental Protection Agency ("U.S. EPA"), hereby notifies the Court that the United States is lodging with the Court two proposed consent decrees under the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. §§ 9601 *et seq.* The consent decrees resolve certain claims of the United States under Sections 106 and 107(a) of CERCLA, 42 U.S.C. §§ 9606 and 9607(a) against the defendants in the above referenced action at the Shiawassee River Superfund Site ("the Site") located in the vicinity of Howell, Livingston County, Michigan.

One of the consent decrees is with Johnson Controls, Inc. and Hoover Universal, Inc. This consent decree requires Johnson Controls and Hoover Universal to perform the remedial action U.S. EPA has selected for the Site. U.S. EPA's selected remedial action involves the removal of polychlorinated biphenyl ("PCB") contamination from specified areas of the flood

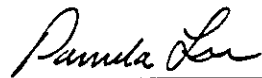
plain and river sediment of the Shiawassee River. The second consent decree is with Multifastener Corporation. This consent decree requires that Multifastener pay the United States \$1,700,000 for past response costs incurred by the United States in connection with the Site.

At this time, the Court should not sign and enter the proposed consent decrees. Instead, the proposed consent decrees should remain lodged with the Court while the United States provides an opportunity for public comment in accordance with U.S. Department of Justice regulations codified at 28 C.F.R. § 50.7 and Section 122(d)(2)(B) of CERCLA, 42 U.S.C. § 9622(d)(2)(B).

The U.S. Department of Justice will publish in the Federal Register a notice that the proposed consent decrees have been lodged with the Court. The notice will solicit public comment for a period of 30 days. After the close of the comment period, the United States will evaluate any comments received, determine whether any comments disclose facts or considerations which indicate that the proposed settlements are inappropriate, inadequate or improper, and advise the Court whether the United States requests that the two consent decrees be entered.

Respectfully submitted,

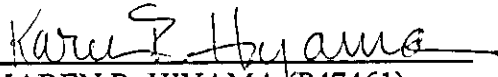
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